

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

UNIVERSITAS EDUCATION, LLC,	)	
	)	
Petitioner,	)	
	)	
vs.	)	NO. 14-FJ-0005-HE
	)	
AVON CAPITAL, LLC, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

Before the court is the Receiver’s application for approval of payment for February 2024 costs and fees. Interested Party Phoenix Charitable Trust and intervenor Avon Capital, LLC (i.e., the pre-receivership ownership/control group) have filed oppositions to the request. Phoenix reasserts its previous arguments that distribution of SDM Holding funds is improper for various reasons and that the appointment of the receiver in this case was improper. Avon Capital, LLC reasserts its prior objections and also objects based upon the court’s alleged lack of jurisdiction.<sup>1</sup>

For substantially the same reasons as stated in the court’s prior orders approving the distribution and payment of receiver’s fees and costs [Doc. #367, *et al.*] and prior orders ruling on the court’s jurisdiction [Doc. #521 and 564], the court concludes the reasserted

---


<sup>1</sup> *Avon Capital, LLC asserted these same lack of jurisdiction arguments in its Memorandum in Opposition to Petitioner’s Motion for Constructive Trust [Doc. #515] and its Memorandum in Support of Its Motion to Dismiss Under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(2) [Doc. #517].*

objections do not justify denial of the present motion. The receiver's request appears otherwise reasonable and sufficiently supported.

The Receiver's Application for Order Approving Payment [Doc. #611] is **GRANTED**. Receiver's fees and costs in the amount of \$11,357.50, as set forth in the motion, are approved and may be paid from the receivership estate.

**IT IS SO ORDERED.**

Dated this 19<sup>th</sup> day of April, 2024.

  
\_\_\_\_\_  
JOE HEATON  
UNITED STATES DISTRICT JUDGE